

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the following remarks.

Applicant wishes to thank the Examiner for the courtesy extended to Applicant's representatives during a telephone interview conducted on May 13, 2010. The participants were Exr. Paras Shah, Douglas Agopsowicz (Reg. No. 56,792), and the undersigned (it is noted that the Interview summary erroneously indicates that "Daniel Agopsowicz" was present during the interview). During the interview, the Examiner agreed that the pending rejections are unwarranted and would be withdrawn. The Examiner further indicated that he would conduct an updated search. A summary of the substance of the issues discussed during the interview is included below.

In the most recent Office Action, claims 3, 5-7, 11, 21-23, 30 and 31 were rejected, under 35 USC §103(a), as being unpatentable over Jin et al. (JP 08-263096) in view of Nomura (JP 10-207496) in view of Painter ("Perceptual Coding of Digital Audio") in view of Najafzadeh-Azghandi ("Perceptual Coding of Narrowband Audio Signals").

Aspects of the present invention are directed towards a coding method which provides an advantage of encoding a signal, which predominantly includes speech with music and noise superimposed in the background, with a short delay, at a low bit rate and with high quality (Specification, paragraph [0051]).

To achieve this high quality coding, the acoustic coding apparatus of independent claim 21 comprises an "enhancement layer coding section" that recites the features of a "frequency domain transform section," a "domain divider," a "quantization domain determining section," and a "quantization domain coding section." Specifically with respect to the "domain divider,"

claim 21 recites that the domain divider "...divides the plurality of frequency domain transform coefficients into a plurality of domains on the two dimensional plane such that each domain includes at least a plurality of frequency domain transform coefficients which are grouped continuously along a time axis." By configuring the acoustic coding apparatus to include these components, including the recited domain divider, the acoustic coding apparatus of claim 21 efficiently codes position information on coefficients when coefficients exceeding perceptual masking are quantization targets. (Specification, par. [0164]).

During the interview, the Examiner agreed that Painter does not disclose or suggest the domain divider recited by claim 21. Painter teaches a "filter bank" which "divides the signal spectrum into frequency subbands and generates a time-indexed series of coefficients representing the frequency-localized signal power within each band." (Painter, page 467, sec. III, left column, 1st paragraph). Thus, the filter bank of Painter divides a signal spectrum and generates coefficients. However, the filter bank of Painter does not anticipate or render obvious the feature of a "domain divider that divides the plurality of frequency domain transform coefficients into a plurality of domains on the two dimensional plane such that each domain includes at least a plurality of frequency domain transform coefficients which are grouped continuously along a time axis," as recited by independent claim 21. Furthermore, none of the other prior art references of record were cited as references which teach or suggest this recited feature of claim 21, and it is believed that none of these other prior art references teach or suggest this recited feature.

Independent claims 22, 30 and 31 recite substantially the same feature as the domain divider recited by claim 21 above.

As a result, the Examiner agreed to withdraw the pending rejections of all the claims, and indicated that an updated search would be required.

In view of the above, it is submitted that this application is in condition for allowance, and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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